

10-24-12

10-24-12



SEALED

Office of the United States Attorney
District of Nevada
333 Las Vegas Boulevard, Suite 5000
Las Vegas, Nevada 89101
(702) 388-6336

I

FILED

OCT 24 2012

UNITED STATES MAGISTRATE JUDGE
DISTRICT OF NEVADA

BY _____ DEPUTY

1 DANIEL G. BOGDEN
 2 United States Attorney
 3 STEVEN W. MYHRE
 4 First Assistant United States Attorney
 5 333 Las Vegas Blvd., South, Ste. 5000
 6 Las Vegas, Nevada 89101
 7 Phone: (702) 388-6336
 8 Fax: (702) 388-6296

6
 7 **UNITED STATES DISTRICT COURT**
 8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 STEVEN E. JONES,
 13 THOMAS A. CECRLE, Jr.,
 14 CONSTANCE C. FENTON,
 15 TERRY J. WOLFE,
 MARK L. HANSEN, and
 ASHLEE M. MARTIN,

Defendants.

) **CRIMINAL INDICTMENT**

) 2:12-cr- 400

) **VIOLATIONS:**

) Title 18, United State Code, Section 1349 –
 Conspiracy to Commit Mail Fraud and Wire
 Fraud (Count One) (as to all defendants)

) Title 18, United States Code, Section 1343
 and 2- Wire Fraud (Counts Two through
 Seven) (as to all defendants)

) Title 15 United States Code, Section 78j(b)–
 Securities Fraud (Count Eight)
 (as to all defendants)

) Title 18, United States Code, Section
 1956 (h) – Conspiracy to Commit Money
 Laundering (Count Nine) (as to all
 defendants)

) Title 18, United States Code, Section 1957
 and 2- Engaging in Money Transactions in
 Property Derived from Specified Unlawful
 Activity (Counts Ten and Eleven) (as to all
 defendants)

) Title 18, United States Code, Section
 1956(a)(1)(B)(i) – Laundering of Monetary
 Instruments (Counts Twelve through Twenty)
(as to all defendants)

28 The Grand Jury charges that all times relevant to this Indictment:

1

Background

1. Defendant Steven E. **JONES** resided in the State and Federal District of Nevada and was a duly elected public official serving as District Court Judge for the State of Nevada and presiding over matters brought in Clark County Family Court.

2. Defendant Thomas A. CECRLE resided in the State and Federal District of Nevada and purported to others that he was an agent of the United States government and involved in high-yield investment programs in Nevada and elsewhere.

3. Defendant Terry J. WOLFE resided in the State and Federal District of Nevada and was associated with defendant Cecrle in high-yield investment programs within Nevada and elsewhere.

4. Defendant Constance C. FENTON resided in the State of Washington and was associated with defendant Cecrle in high yield investment programs within Nevada and elsewhere.

5. Defendant Mark L. HANSEN resided in the State and Federal District of Nevada from time to time, and was associated with defendant Cecrle in high-yield investment programs in Nevada and elsewhere.

6. Defendant Ashlee M. MARTIN resided in the State and Federal District of Nevada and was associated with defendant Cecrle in high-yield investment programs in Nevada and elsewhere.

The Scheme to Defraud

7. From beginning in or around September 2002 and continuing to on or about October 2012, the defendants, and others known and unknown to the Grand Jury, aided and abetted by each other, did devise, intend to devise, and participate in a material scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, half-truths and promises.

8. The purpose and object of the scheme and artifice was to induce others to give the defendants money under the guise and pretense of a high yield investment program whereby a loan or investment of money would be repaid in short order and at an extremely high rate of return that far exceeded any normal market rates. In truth and in fact, however, the defendants had no intention of ever repaying the money as promised and sought only to enrich themselves at the expense of their victims.

1 9. As part of the scheme and artifice, defendant **CECRLE** constructed a false story that
2 he held a special position with the United States government with access to public officials and secret
3 government programs. He falsely represented that by virtue of his position and access, he had obtained
4 exclusive and valuable rights and interests in property, including water rights in Northern Arizona, rights
5 to land on the Las Vegas strip, and rights and access to war bonds from the World War I era. Defendant
6 **CECRLE** further represented falsely that these rights and interests could be fully secured only if he
7 obtained a short-term loan or investment of cash which he falsely promised to repay at a rate of return in
8 excess of several thousand percent. In truth and in fact, defendant **CECRLE** was unemployed and not
9 connected to public officials or government programs and agencies in any legitimate way and none of the
10 purported rights or property interests existed.

11 10. As a further part of the scheme and artifice, the defendants worked together to advance
12 and perpetuate the false pretense that defendant **CECRLE** was who he purported to be and that the
13 fraudulent investments in fact existed. Using the mail, telephones, interstate wires, the internet, banks, and
14 other means and instrumentalities of interstate commerce, the defendants advertised, solicited, and
15 promoted their fraudulent scheme to victims across the United States.

16 11. As a further part of the scheme and artifice, the defendants typically solicited odd sums
17 of money in amounts of less than \$10,000 as loans or investments and claimed the money was needed
18 urgently. The defendants requested their victims to advance the money to them through wire transfers,
19 prepaid credit cards, direct bank deposits, or intra-bank account transfers. During the course of the scheme,
20 the defendants established and maintained at least ten (10) different bank accounts through which they
21 moved and laundered their fraudulent proceeds. To further conceal their activities and avoid detection, the
22 defendant typically deposited and withdrew sums of cash from financial institutions in amounts less than
23 \$10,000 in order to avoid currency transaction reporting requirements.

24 12. As a further part of the scheme and artifice, the defendants quickly converted investor
25 funds to their own purposes, such as living and gambling expenses, and then returned to their victims to
26 solicit more money, falsely claiming that circumstances had intervened to prevent the investment from
27 being fully realized and that additional money was needed to conclude the transaction. By repeating this
28 process with numerous victims, the defendants obtained more than \$ 3 million in proceeds from the fraud.

1 13. As a further part of the scheme and artifice, when victims questioned the legitimacy
2 of the high yield investment or when none of the money was repaid as promised, the defendants lulled
3 investors into a false sense of security by referring the victims to defendant **JONES**, a sitting Nevada
4 district court judge. The defendants told potential and disgruntled investors that defendant **JONES** knew
5 of defendant **CECRLE** and the investments, approved of them, and would vouch for him. Thereafter,
6 defendant **JONES** met with investors in chambers, over the telephone, and elsewhere and, using his office
7 as a district judge, knowingly vouched for defendant **CECRLE** and the high yield investment programs,
8 assuring investors that the scheme was sound, when he knew full well that other investors had never been
9 paid and that defendant **CECRLE** and the scheme were a fraud.

10 14. As a further part of the scheme and artifice, defendant **JONES** used his position as a
11 district court judge to intervene on behalf of defendant **CECRLE** with disgruntled investors to prevent or
12 delay legal process against defendant **CECRLE** and thus allow him to continue the scheme. Defendant
13 **JONES** also drafted and reviewed documents associated with the sham investments in an attempt to lend
14 some indicia of legitimacy to the otherwise fraudulent scheme and to lull investors into a false impression
15 that the scheme was legitimate.

16 15. As a further part of the scheme and artifice, defendant **JONES** used his position as a
17 district judge to act as a middleman for defendant **CECRLE**, fielding telephone calls for him in chambers
18 and receiving cash proceeds from the fraudulent scheme at the courthouse where he presided over cases.
19 During the course of the scheme, defendant **JONES** established and maintained a joint bank account with
20 defendant **CECRLE** through which they received and laundered in excess of \$ 250,000 in proceeds from
21 the fraud.

22 16. As a further part of the scheme and artifice, defendants **FENTON, WOLFE,**
23 **HANSEN**, and **MARTIN** used the telephone, mail, internet and other means and instrumentalities of
24 interstate commerce to solicit money, lull investors, direct the movement of money, pick up and deliver
25 money, establish and maintain bank accounts through which to move money, and to otherwise maintain
26 the false and fraudulent pretense that defendant **CECRLE** was who he purported to be and that the
27 fraudulent investments in fact existed.

17. It was further part of the scheme and artifice to defraud that the defendants made such other false, fraudulent, deceptive and deceitful representations as necessary to advance their fraudulent scheme, conceal their fraudulent activities from others, avoid detection, enrich themselves and cause devastating losses to their victims.

COUNT ONE

Conspiracy

(Title 18, United States Code, Section 1349)

18. Paragraphs 1 through 17 are incorporated herein as if set forth in full.

19. Beginning at a time unknown to the Grand Jury, but no later than September 2002, and continuing until on or about October 2012, in the State and Federal District of Nevada, and elsewhere,

STEVEN E. JONES,
THOMAS A. CECRLE, Jr.,
TERRY J. WOLFE,
CONSTANCE C. FENTON,
ASHLEE M. MARTIN, and
MARK L. HANSEN,

defendants herein, did conspire, confederate and agree with each other, and with others known and unknown to the Grand Jury, to commit the crime of wire fraud, in violation of Title 18, United States Code, Section 1343.

20. The object of the conspiracy was to devise, intend to devise, and participate in the material scheme and artifice to defraud as set forth herein for the purposes of obtaining money and property from others.

21. In furtherance of the conspiracy, the defendants performed the overt acts charged in Counts Two through Six of this Indictment.

All in violation of Title 18, United States Code, Section 1349.

COUNTS TWO THROUGH SIX

Fraud by Wire

(Title 18, United States Code, Section 1343)

22. Paragraph 1 through 21 are incorporated herein as if set forth in full.

23. On or about the dates set forth below, in the State and Federal District of Nevada, and elsewhere,

1 STEVEN E. JONES,
 2 THOMAS A. CECRLE, Jr.,
 3 TERRY J. WOLFE,
 4 CONSTANCE C. FENTON,
 5 ASHLEE M. MARTIN, and
 6 MARK HANSEN,

7 defendants herein, aided and abetted by each other, for the purpose of executing the scheme and artifice set
 8 forth herein, and attempting to do so, did knowingly transmit and cause to be transmitted by means of wire
 9 communication in interstate commerce certain writings, signs, signals, and pictures, as follows:

| | <u>Date</u> | <u>Origin</u> | <u>Destination</u> | <u>Description</u> |
|-------------|-------------|----------------|--------------------|---|
| Count Two | 12/13/2007 | Gig Harbor, WA | Salinas, CA | Internet transmission of Settlement Agreement and Mutual Release from defendant Fenton to victim C.D. |
| Count Three | 01/19/2008 | Gig Harbor, WA | Las Vegas, NV | Western Union Wire of \$1000 to defendant Mark Hansen |
| Count Four | 02/10/2008 | Gig Harbor, WA | Las Vegas, NV | Western Union Wire of \$550 to defendant Mark Hansen |
| Count Five | 10/17/2009 | Chemic, NY | Las Vegas, NV | Moneygram Wire of \$2,995 to defendant Thomas Cecrele |
| Count Six | 06/05/2010 | Islandia, NY | Las Vegas, NV | Moneygram Wire of \$ 3,500 to defendant Thomas Cecrele |
| Count Seven | 05/08/2011 | Mesa, AZ | Las Vegas, NV | Western Union Wire of \$1,550 to defendant Terry Wolfe |

22 All in violation of Title 18, United States Code, Sections 1343 and 2.

23 **COUNT EIGHT**
 24 Securities Fraud
 25 (Title 15, United States Code, Section 78j(b))

26 24. Paragraphs 1 through 21 are incorporated herein as if set forth in full.
 27 25. From on or about September 2002, and continuing until on or about October 2012,
 28 in the State and Federal District of Nevada, and elsewhere,

1 STEVEN E. JONES,
2 THOMAS A. CECRLE, Jr.,
3 TERRY J. WOLFE,
4 CONSTANCE C. FENTON,
5 ASHLEE M. MARTIN and
6 MARK HANSEN,

7 defendants herein, and others known and unknown to the Grand Jury, aided and abetted by each other,
8 unlawfully, knowingly, and willfully, by the use of means and instrumentalities of interstate commerce, the
9 mail, and the wires, did, directly and indirectly, use and employ manipulative and deceptive devices and
10 contrivances in connection with the purchase and sale of a security, that is: investment contracts and/or
11 loans, and did: (a) employ a device, scheme and artifice to defraud; (b) make untrue statements of material
12 facts and omit to state material facts necessary in order to make the statements made, in light of the
13 circumstances under which they were made, not misleading; and (c) engage in acts, practices and courses
14 of business which would and did operate as a fraud and deceit upon members of the investing public, in
15 connection with the sale of said securities.

16 All in violation of Title 15, United States Code, Sections 78j(b) and 78ff(a); Title 17, Code
17 of Federal Regulations, Section 240.10b-5; and Title 18, United States Code, Section 2.

18 **COUNT NINE**
19 Conspiracy to Commit Money Laundering
20 (Title 18, United States Code, Section 1956(h))

21 26. Paragraphs 1 through 23 are incorporated herein as if set out in full.

22 27. Beginning at a time unknown to the Grand Jury, but no later than on or about September
23 2002, and continuing until on or about October 2012, in the State and Federal District of Nevada, and
24 elsewhere,

25 STEVEN E. JONES,
26 THOMAS A. CECRLE, Jr.,
27 TERRY J. WOLFE,
28 CONSTANCE C. FENTON,
ASHLEE M. MARTIN, and
MARK HANSEN,

29 defendants herein, did conspire, confederate and agree with each other, and with others known and
30 unknown to the Grand Jury, to commit the crime of money laundering, in violation of Title 18, United
31 States Code, Sections 1956(a)(1)(B)(i); and 1957(a).

1 28. It was an object of the conspiracy to knowingly conduct, and attempt to conduct, a
 2 financial transaction which involved the proceeds of the fraud specified herein, with the intent to conceal
 3 or disguise the nature, the location, the source, the ownership, or the control of the proceeds of the fraud.

4 29. It was an object of the conspiracy to knowingly engage, or attempt to engage, in a
 5 monetary transaction in property greater than \$10,000 which was derived from the fraud as specified herein.

6 30. In furtherance of the conspiracy, the defendants performed the overt acts charged in
 7 Counts Ten through Twenty of this Indictment.

8 All in violation of Title 18, United States Code, Section 1956(h).

9 **COUNTS TEN AND ELEVEN**

10 Money Transactions in Property Derived from Specified Unlawful Activity
 11 (Title 18, United States Code, Section 1957)

12 31. Paragraphs 1 through 30 are incorporated herein as if set forth in full.

13 32. On or about the dates set forth below, in the State and Federal District of Nevada, and
 14 elsewhere,

15 **STEVEN E. JONES,
 16 THOMAS A. CECRLE, Jr.,
 17 TERRY J. WOLFE,
 18 CONSTANCE C. FENTON,
 19 ASHLEE M. MARTIN and
 20 MARK HANSEN,**

21 defendants herein, aided and abetted by each other, did knowingly engage, and attempt to engage, in a
 22 monetary transaction affecting interstate and foreign commerce in criminal derived property of a value
 23 greater than \$10,000, which was derived from specified unlawful activity, namely Wire Fraud in violation
 24 of Title 18, United States Code, Section 1343; and Securities Fraud, in violation of Title 15, United States
 25 Code, Section 78j(b), as more fully described in Counts One through Seven of this Indictment, to wit:

| Count | Date | Transaction | Account |
|--------|------------|---------------------------|--|
| Ten | 01/02/2008 | \$ 40,000 Cashier's Check | Fenton/Cecrle Wells Fargo Acct. ###153 |
| Eleven | 01/07/2008 | \$ 29,300 Deposit | Jones/Cecrle Wells Fargo Acct. ###421 |

26 All in violation of Title 18, United States Code, Sections 1957 and 2.

COUNTS TWELVE TO TWENTY

Laundering of Monetary Instruments

(Title 18, United States Code, Section 1956(a)(1)(B)(i))

33. Paragraphs 1 through 30 are incorporated herein as if set forth in full.

34. On or about the dates set forth below, in the State and Federal District of Nevada, and
5 elsewhere,

6 **STEVEN E. JONES,
7 THOMAS A. CECRLE, Jr.,
8 TERRY J. WOLFE,
CONSTANCE C. FENTON,
ASHLEE M. MARTIN, and
9 MARK HANSEN,**

10 defendants herein, aided and abetted by each other, did knowingly conduct, and attempt to conduct, a
11 financial transaction which involved the proceeds of specified unlawful activity, namely Wire Fraud in
12 violation of Title 18, United States Code, Section 1343; and Securities Fraud, in violation of Title 15,
13 United States Code, Section 78j(b), as more fully described in Counts One through Eight of this Indictment,
14 with the intent to conceal or disguise the nature, the location, the source, the ownership, or the control of
15 the proceeds of the specified unlawful activity, to wit:

| Count | Date | Transaction | Account |
|-----------|------------|-------------------------|---------------------------------------|
| Twelve | 11/16/2007 | \$503 Cash Withdrawal | Jones/Cecrle Wells Fargo Acct. ###421 |
| Thirteen | 01/07/2008 | \$1,000 Cash Deposit | Hansen Wells Fargo Acct. ###251 |
| Fourteen | 01/08/2008 | \$9,400 Cash Withdrawal | Jones/Cecrle Wells Fargo Acct. ###421 |
| Fifteen | 05/27/2008 | \$5,200 Cash Deposit | Wolfe Bank of America Acct. ###682 |
| Sixteen | 01/23/2009 | \$5,100 Cash Withdrawal | Bank of America Acct. ###299 |
| Seventeen | 01/27/2010 | \$6,440 Cash Withdrawal | Martin Bank of America Acct. ###134 |
| Eighteen | 07/23/2010 | \$1,665 Cash Withdrawal | Martin Bank of America Acct. ###134 |
| Nineteen | 08/12/2011 | \$9,840 Cash Withdrawal | Martin Bank of America Acct. ###134 |
| Twenty | 12/02/2011 | \$7,200 Cash Withdrawal | Martin Bank of America Acct. ###339 |

25 All in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i) and 2.
26
27 . . .
28 . . .

FORFEITURE ALLEGATION ONE

1. The allegations contained in Counts One through Seven of this Criminal Indictment are hereby Realleges and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C); and Title 28, United States Code, Section 2461(c).

2. Upon conviction of any of the felony offenses charged in Counts One through Six of this Criminal Indictment,

STEVEN E. JONES,
THOMAS A. CECRLE, Jr.,
TERRY J. WOLFE,
CONSTANCE C. FENTON,
ASHLEE M. MARTIN, and
MARK HANSEN,

defendants herein, shall forfeit to the United States of America, any property, real or personal, which constitutes or is derived from proceeds traceable to violations of Title 18, United States Code, Section 1343, a specified unlawful activity as defined in Title 18, United States Code, Sections 1956(c)(7)(A) and 1961(1)(B), or Title 18, United States Code, Section 1349, conspiracy to commit such offenses, an *in personam* criminal forfeiture money judgment of \$1,500,000 in United States Currency.

3. If any property being subject to forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the defendants –

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property that cannot be divided without difficulty;

it is the intent of the United States of America, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any properties of the defendants for the *in personam* criminal forfeiture money judgment of \$1,500,000 in United States Currency.

1

1 All pursuant to Title 18, United States Code, Section 981(a)(1)(C); and Title 28, United
2 States Code, Section 2461(c); Title 18, United States Code, Section 1343, a specified unlawful activity as
3 defined in Title 18, United States Code, Sections 1956(c)(7) and 1961(1)(B); Title 18, United States Code,
4 Section 1349; and Title 21, United States Code, Section 853(p).

5 **FORFEITURE ALLEGATION TWO**

6 Securities Fraud

7 1. The allegations contained in Count Eight of this Criminal Indictment are hereby Realleges
8 and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18, United
9 States Code, Section 981(a)(1)(C); and Title 28, United States Code, Section 2461(c).

10 2. Upon conviction of any of the felony offenses charged in Count Seven of this Criminal
11 Indictment,

12 STEVEN E. JONES,
13 THOMAS A. CECRLE, Jr.,
14 TERRY J. WOLFE,
CONSTANCE C. FENTON,
ASHLEE M. MARTIN and
MARK HANSEN,

15 defendants herein, shall forfeit to the United States of America, any property, real or personal, which
16 constitutes or is derived from proceeds traceable to violations of fraud in the sale of securities under Title
17 15, United States Code, Sections 78j(b) and 78ff(a); specified unlawful activities as defined in Title 18,
18 United States Code, Sections 1956(c)(7)(A) and 1961(1)(D); or a conspiracy to commit such offenses, an
19 *in personam* criminal forfeiture money judgment of \$1,500,000 in United States Currency.

20 3. If any property being subject to forfeiture pursuant to Title 18, United States Code, Section
21 981(a)(1)(C); and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the
22 defendants –

23 a. cannot be located upon the exercise of due diligence;
24 b. has been transferred or sold to, or deposited with, a third party;
25 c. has been placed beyond the jurisdiction of the court;
26 d. has been substantially diminished in value; or
27 e. has been commingled with other property that cannot be divided without difficulty;

28 it is the intent of the United States of America, pursuant to Title 21, United States Code, Section 853(p),

1 to seek forfeiture of any properties of the defendants for the *in personam* criminal forfeiture money
2 judgment of \$1,500,000 in United States Currency.

3 All pursuant to Title 18, United States Code, Section 981(a)(1)(C); and Title 28, United
4 States Code, Section 2461(c); Title 15, United States Code, Sections 78j(b) and 78ff(a), fraud in the sale
5 of securities, specified unlawful activities as defined in Title 18, United States Code, Sections 1956(c)(7)
6 and 1961(1)(D); and Title 21, United States Code, Section 853(p).

7 **FORFEITURE ALLEGATION THREE**

8 **Conspiracy to Commit Money Laundering,
Money Transactions in Property Derived from Specified Unlawful Activities, and
Laundering of Money Instruments**

9
10 1. The allegations contained in Counts Nine through Twenty of this Criminal Indictment are
11 hereby Realleges and incorporated herein by reference for the purpose of alleging forfeiture pursuant to
12 Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

13 2. Upon conviction of any of the felony offenses charged in Counts Eight through Sixteen
14 of this Criminal Indictment,

15 **STEVEN E. JONES,
THOMAS A. CECRLE, Jr.,
TERRY J. WOLFE,
CONSTANCE C. FENTON,
ASHLEE M. MARTIN, and
MARK HANSEN,**

16
17 defendants herein, shall forfeit to the United States of America, any property, real or personal, which
18 constitutes or is derived from proceeds traceable to violations of Title 18, United States Code, Sections
19 1956(a)(1)(B)(i), 1956(h), and 1957, specified unlawful activities as defined in Title 18, United States
20 Code, Sections 1956(c)(7)(A) and 1961(1)(B), or Title 18, United States Code, Section 1956(h), conspiracy
21 to commit such offenses, an *in personam* criminal forfeiture money judgment of \$1,500,000 in United
22 States Currency.

23 3. If any property being subject to forfeiture pursuant to Title 18, United States Code, Section
24 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the
25 defendants –

26 a. cannot be located upon the exercise of due diligence;

- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property that cannot be divided without difficulty;

it is the intent of the United States of America, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any properties of the defendants for the *in personam* criminal forfeiture money judgment of \$3,000,000 in United States Currency.

All pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); Title 18, United States Code, Sections 1956(a)(1)(B)(i), 1956(h), and 1957, specified unlawful activities as defined in Title 18, United States Code, Sections 1956(c)(7) and 1961(1)(B); and Title 21, United States Code, Section 853(p).

FORFEITURE ALLEGATION FOUR

Conspiracy to Commit Money Laundering,
Money Transactions in Property Derived from Specified Unlawful Activities, and
Laundering of Money Instruments

1. The allegations contained in Counts Nine through Twenty of this Criminal Indictment are hereby Realleges and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(A) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of any of the felony offenses charged in Counts Eight through Sixteen of this Criminal Indictment.

STEVEN E. JONES,
THOMAS A. CECRLE, Jr.,
TERRY J. WOLFE,
CONSTANCE C. FENTON,
ASHLEE M. MARTIN, and
MARK HANSEN,

defendants herein, shall forfeit to the United States of America, any property, real or personal, involved in transactions or attempted transactions in violation of Title 18, United States Code, Sections 1956(a)(1)(B)(i), 1956(h), and 1957, or any property traceable to such property, an *in personam* criminal forfeiture money judgment of \$3,000,000 in United States Currency.

1 3. If any property being subject to forfeiture pursuant to Title 18, United States Code, Section
2 981(a)(1)(A) and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the
3 defendants –

4 a. cannot be located upon the exercise of due diligence;
5 b. has been transferred or sold to, or deposited with, a third party;
6 c. has been placed beyond the jurisdiction of the court;
7 d. has been substantially diminished in value; or
8 e. has been commingled with other property that cannot be divided without difficulty;

9 it is the intent of the United States of America, pursuant to Title 21, United States Code, Section 853(p),
10 to seek forfeiture of any properties of the defendants for the *in personam* criminal forfeiture money
11 judgment of \$3,000,000 in United States Currency.

12 All pursuant to Title 18, United States Code, Section 981(a)(1)(A) and Title 28, United States
13 Code, Section 2461(c); Title 18, United States Code, Sections 1956(a)(1)(B)(i), 1956(h), and 1957; and
14 Title 21, United States Code, Section 853(p).

15 **FORFEITURE ALLEGATION FIVE**
16 Conspiracy to Commit Money Laundering,
17 Money Transactions in Property Derived from Specified Unlawful Activities, and
18 Laundering of Money Instruments

19 1. The allegations contained in Counts Eight through Sixteen of this Criminal Indictment
20 are hereby Realleges and incorporated herein by reference for the purpose of alleging forfeiture pursuant
21 to Title 18, United States Code, Section 982(a)(1).

22 2. Upon conviction of any of the felony offenses charged in Counts Eight through Sixteen
23 of this Criminal Indictment,

24 **STEVEN E. JONES,
25 THOMAS A. CECRLE, Jr.,
26 TERRY J. WOLFE,
27 CONSTANCE C. FENTON,
28 ASHLEE M. MARTIN, and
 MARK HANSEN,**

defendants herein, shall forfeit to the United States of America, any property, real or personal, involved in
violations of Title 18, United States Code, Sections 1956(a)(1)(B)(i), 1956(h), and 1957, or any property

1 traceable to such property, an *in personam* criminal forfeiture money judgment of \$1,500,000 in United
2 States Currency.

3 3. If any property being subject to forfeiture pursuant to Title 18, United States Code, Section
4 982(a)(1), as a result of any act or omission of the defendants –

- 5 a. cannot be located upon the exercise of due diligence;
- 6 b. has been transferred or sold to, or deposited with, a third party;
- 7 c. has been placed beyond the jurisdiction of the court;
- 8 d. has been substantially diminished in value; or
- 9 e. has been commingled with other property that cannot be divided without difficulty;

10 it is the intent of the United States of America, pursuant to Title 21, United States Code, Section 853(p),
11 to seek forfeiture of any properties of the defendants for the *in personam* criminal forfeiture money
12 judgment of \$3,000,000 in United States Currency.

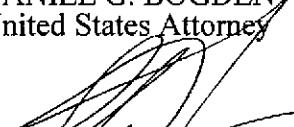
13 All pursuant to Title 18, United States Code, Section 982(a)(1); Title 18, United States Code,
14 Sections 1956(a)(1)(B)(i), 1956(h), and 1957; and Title 21, United States Code, Section 853(p).

15 **DATED:** this 24 day of October, 2012.

16 **A TRUE BILL:**

17
18 /S/
19 FOREPERSON OF THE GRAND JURY

20 DANIEL G. BOGDEN
21 United States Attorney

22 
23 STEVEN W. MYHRE
24 Assistant United States Attorney